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Jan 20 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rittershaus and Thomas

Serial No.: 09/943,334

Filed: August 30, 2001

Entitled: MODULATION OF CHOLESTERYL
ESTER TRANSFER PROTEIN (CETP)
ACTIVITY

ART UNIT: 1644

EXAMINER: M. Belyavskyi

Attorney Docket No.: TCS-411.1P US-1

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FEB 10 2003

Director of the U.S. Patent & Trademark Office
Washington, D.C. 20231

TECH CENTER 1600/2900

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Sir:

Applicants submit this response to the Office Action (paper no. 6), mailed July 30, 2002, in the above-identified divisional application.

A Petition for a three-month extension of time in which to respond to the Office Action along with the appropriate fee under 37 C.F.R. § 1.17(a)(3) accompany this response. The Commissioner is hereby authorized to charge payment of any additional fees required in connection with this paper to Deposit Account No. 50-0268.

A terminal disclaimer under 37 C.F.R. § 1.321(c) with respect to the commonly assigned, copending U.S. application Ser. No. 08/432,483, now U.S. Patent 6,410,022, to which this application claims benefit under 35 U.S.C. §§ 120 and 121, and the appropriate fee under 37 C.F.R. § 1.20(d), also accompanies this response. The terminal disclaimer is filed to obviate an obviousness-type double patenting rejection set forth in the Office Action (page 13).

Please amend the above-identified application as follows:

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